

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

CLIFFORD YOUNG,

Civil No. 09-206-HU

Petitioner,

v.

ORDER

BRIAN BELLEQUE,

Respondent.

C. Renee Manes
Assistant Federal Public Defender
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Portland, Oregon 97204

Attorney for Petitioner

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Attorney General
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Attorneys for Respondent

MARSH, Judge.

Magistrate Judge Dennis J. Hubel filed his Amended Findings and Recommendation on August 6, 2010. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When either party objects to any portion of the Magistrate's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate's report. See 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Petitioner has filed timely objections. I have, therefore, given the file of this case a *de novo* review. I find no error. Accordingly, I ADOPT the Amended Findings and Recommendation #22 of Magistrate Judge Hubel. Petitioner's petition for writ of habeas corpus (#1) is DENIED, and this proceeding is DISMISSED, with prejudice. Because petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability is DENIED. See 28 U.S.C. § 2253(c)(2).

IT IS SO ORDERED.

DATED this 16 day of September, 2010

/s/ Malcolm F. Marsh
Malcolm F. Marsh
United States District Judge